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KRALIK ASSOCIATES

PAGE 02

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7  
8 Attorneys for Defendant/Counter-Claimant  
9 INDYMAC BANK, F.S.B.

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10  
11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 MICHAEL GAREDAKIS, TAMARA ) Case No.: C04-02687 BZ  
14 GAREDAKIS, )  
15 Plaintiffs, )  
16 vs. )  
17 INDYMAC BANK F.S.B., MLA DBA )  
18 MONEYLINE AMERICA, AMERICAN )  
19 TITLE COMPANY AND DOES 1-10,  
20 Defendants.  
21  
22 INDYMAC BANK, F.S.B.,  
23 Counter-Claimant,  
24 vs.  
25 MICHAEL GAREDAKIS; TAMARA )  
26 GAREDAKIS; MONEY LINE AMERICA;  
27 TICOR TITLE COMPANY OF )  
28 CALIFORNIA aka AMERICAN TITLE )  
COMPANY; and ROES 1-50, inclusive,  
Counter-Defendants.

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1 TO THE HONORABLE BERNARD ZIMMERMAN:

2 The parties to this action, namely, Plaintiffs MICHAEL GAREDAKIS and TAMARA  
3 GAREDAKIS (collectively "Plaintiffs"), and Defendants INDYMAC BANK, F.S.B.,  
4 EM-EL-AY, INC. fka MLA, INC., and TICOR TITLE COMPANY fka AMERICAN TITLE  
5 COMPANY (collectively "Defendants") (collectively, "the Parties"), by and through their  
6 attorneys of record herein, hereby stipulate as follows:

7  
8 RECITALS

9 WHEREAS, Plaintiffs filed this action on July 6, 2004, and all parties named therein  
10 have been served with the Complaint and responded thereto;

11 WHEREAS, IndyMac filed its Counter- and Cross-Claims on November 9, 2004, and all  
12 parties named therein have been served with the Counter- and Cross-Claims and responded  
13 thereto;

14 WHEREAS, the Parties participated in a Settlement Conference concerning all issues  
15 raised in the Complaint and Counter- and Cross-Claims, respectively, on June 9, 2005; and

16 WHEREAS, the Parties have agreed to resolve this action in its entirety, including all  
17 claims set forth in the Complaint and Counter- and Cross-Claims, respectively, upon the terms  
18 and conditions set forth in that certain settlement agreement entered into between them in open  
19 Court on June 9, 2005.

20

21 STIPULATION

22 IT IS HEREBY STIPULATED, by and between the Parties, through their respective  
23 counsel of record, that this action be dismissed in its entirety, with prejudice, including  
24 Plaintiffs' Complaint and IndyMac's Counter- and Cross-Claims, pursuant to Federal Rule of  
25 Civil Procedure 41(a)(1)(ii).

26 IT IS FURTHER STIPULATED, that this Stipulation may be signed in counterparts and  
27 by facsimile.

28 III

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PAGE 84

1 IT IS SO STIPULATED.  
2  
3 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
4  
5 Marc Voisenat  
6 Attorneys for Plaintiffs  
7 MICHAEL GAREDAKIS and  
8 TAMARA GAREDAKIS  
9  
10 Dated: July 29, 2005 By: John J. Kralik IV  
11 Attorneys for Defendant/Cross-Claimant  
12 INNDYMAC BANK, F.S.B.  
13  
14 Dated: \_\_\_\_\_ By: \_\_\_\_\_  
15 Scott Noble  
16 Attorneys for Defendant  
17 TICOR TITLE COMPANY fka  
18 AMERICAN TITLE COMPANY  
19 Dated: July 29, 2005 By: Raymond N. Stella Eriach  
20 Attorneys for Defendant  
21 EM-EL-AY, INC. fka MLA, INC.  
22  
23  
24  
25  
26  
27  
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STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ

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1 IT IS SO STIPULATED.  
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3

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Marc Voisenat  
Attorneys for Plaintiffs  
MICHAEL GAREDAKIS and  
TAMARA GAREDAKIS

Dated: July 29, 2005

KRALIK & ASSOCIATES

By: John J. Kralik IV

John J. Kralik IV  
Attorneys for Defendant/Cross-Claimant  
INDYMAC BANK, P.S.B.

Dated: July 29, 2005

By: Scott Noble

Scott Noble  
Attorneys for Defendant  
TICOR TITLE COMPANY fka  
AMERICAN TITLE COMPANY

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Raymond N. Stella Erlach  
Attorneys for Defendant  
EM-EL-AY, INC. fka MLA, INC.

1 IT IS SO STIPULATED.

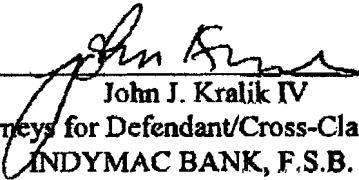
2 Dated: 7/29/05

3 By: 

Marc Voisenat  
Attorneys for Plaintiffs  
MICHAEL GAREDAKIS and  
TAMARA GAREDAKIS

7 Dated: July 29, 2005

8 KRALIK & ASSOCIATES

9 By: 

John J. Kralik IV  
Attorneys for Defendant/Cross-Claimant  
INDYMAC BANK, F.S.B.

14 Dated: \_\_\_\_\_

15 By: \_\_\_\_\_

Scott Noble  
Attorneys for Defendant  
TICOR TITLE COMPANY fka  
AMERICAN TITLE COMPANY

20 Dated: \_\_\_\_\_

21 By: \_\_\_\_\_

Raymond N. Stella Erlach  
Attorneys for Defendant  
EM-EL-AY, INC. fka MLA, INC.

24 8/1/2005

25 THE CLERK  
26 SHALL CLOSE  
27 THE FILE.

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STIPULATION TO DISMISS ENTIRE ACTION

Case No. C04-02687 BZ

